

REMARKS/ARGUMENTS

Claims 28 to 53 are presently pending in this patent application. Claims 1 to 27 have been cancelled, without prejudice. Applicants reserve the right to pursue subject matter that remains after the prosecution of the present application in a future continuing patent application, for example, a division.

Discussion of the Restriction Requirement

The Action requires applicants to select one of the following six groups of allegedly patentably distinct inventions for examination.

- I. Claims 28 to 43 and 47, drawn to an ophthalmic composition comprising a COX-2 inhibitor of claim 43;
- II. Claims 28 to 43 and 47, drawn to an ophthalmic composition comprising a phthalazine derivative of claims 43 and 44;
- III. Claims 28 to 43 and 47, drawn to an ophthalmic composition comprising an ascomycin of claim 43;
- IV. Claims 28 to 43 and 47, drawn to an ophthalmic composition comprising a staurosporine derivative of claim 43, 45, 46, 48 and 49;
- V. Claims 50 and 51, drawn to a method of treating human ocular neovascular diseases; and
- VI. Claims 52 and 53, drawn to a method of treating an inflammatory disease.

Applicants elect provisionally the claims of Group IV. Because the elected Group IV claims are directed to a product, the non-elected Group V and VI claims are directed to processes of using such a product, applicants request that the claims of non-elected Groups V and VI be rejoined if the claims of elected Group IV are allowed.

Conclusion

Applicants believe that the foregoing constitutes a complete and full response to the Action of record. If there are any issues that can be resolved by a telephone conference, the Examiner is invited to call the undersigned attorney.

The Commissioner is hereby authorized to charge any fees required to Deposit Account No. **19-0134** in the name of Novartis.

Respectfully submitted,

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